



U.S. Department of Justice

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Eastern District of New York*

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*610 Federal Plaza
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August 7, 2020

Honorable Joseph F. Bianco
United States Circuit Judge
Court of Appeals for the Second Circuit
Long Island Federal Courthouse
Central Islip, New York 11722

Re: United States v. Kenner and Constantine
No. CR-13-607 (S-2) (JFB)

Dear Judge Bianco:

The government respectfully submits this letter to request an extension of time, from August 17, 2020 to September 17, 2020, to submit the government's opposition to Danske Bank A/S London Branch's ("Danske") motion for summary judgment and the government's cross-motion for summary judgment. At the court conference on July 8, 2020, Danske represented that all documents had been provided to the government with the exception of a wire transfer confirmation and an English translation for a trust agreement. See July 8, 2020 transcript at pp. 16-17. By email on July 10, 2020, Danske produced a wire confirmation and asserted that the English translation had been previously produced. However, despite Danske's representation to the Court that "everything else has been given to the government" (id. at p. 17), on the evening of August 6, 2020, Danske produced to the government a zip file containing approximately 1,000 pages of information, including appraisals, bank records, and what it represents to be a due diligence file.

The reason for this request is that the government requires additional time to review with its forensic expert the thousand pages of documents that were produced only yesterday. Under these circumstances, the government respectfully requests from August 17, 2020 to September 17, 2020 to file its opposition to summary judgment and its cross motion. The government respectfully suggests that the time for Danske to file its reply memorandum of law be extended by 30 days, from September 17, 2020 to October 16, 2020; and that the government's time to reply be extended from September 30, 2020 to October 30, 2020.

In addition, the government will be filing one memorandum of law for both the opposition to Danske's motion and the government's cross-motion. In order to address the complicated issues and thousands of pages of documents, the government respectfully requests

permission to file one over-sized brief of 60 pages. Counsel for Danske does not consent to either of the government's requests.

Thank you for Your Honor's consideration of this submission.

Respectfully submitted,

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Encl.

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All counsel of record by ECF